United Nations S/2016/671

Security Council

Distr.: General
1 August 2016

Original: English

Letter dated 1 August 2016 from the Ombudsperson addressed to the President of the Security Council

I have the honour to submit herewith the twelfth report of the Office of the Ombudsperson, pursuant to paragraph 20 (c) of annex II to Security Council resolution 2253 (2015), according to which the Ombudsperson shall submit biannual reports to the Council summarizing her activities. The report describes the activities of the Office during the period since the previous report was issued, covering the period from 2 February to 31 July 2016.

I would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Catherine **Marchi-Uhel**
Ombudsperson

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Report of the Office of the Ombudsperson, submitted pursuant to Security Council resolution 2253 (2015)

I. Background

1. The present report provides an update on the activities undertaken by the Office of the Ombudsperson since the issuance of the eleventh report of the Office (S/2016/96), on 2 February 2016.

II. Activities related to delisting cases

General

2. The primary activities of the Office of the Ombudsperson during the reporting period related to delisting requests submitted by individuals and entities.

Delisting cases

3. During the reporting period, four new cases were submitted to and accepted by the Office of the Ombudsperson, including a repeated request. One further repeated request for delisting was submitted, but the Ombudsperson considered that it did not contain any additional information and returned it to the petitioner with an explanation for his consideration pursuant to paragraph 1 (e) of annex II to resolution 2253 (2015). No response had been received at the time of reporting. The Ombudsperson also received an additional new delisting request but determined that it did not sufficiently address the listing criteria set forth in paragraph 3 of resolution 2253 (2015), and further information has been sought in accordance with paragraph 1 (d) of annex II to the same resolution. No response had been received at the time of reporting. The total number of delisting petitions submitted to the Office since its establishment was 70 as at 31 July 2016. Unless the petitioner requests otherwise, all names remain confidential while under consideration and in the case of the denial or withdrawal of a petition.

4. In total, the Ombudsperson has submitted 65 comprehensive reports[1] to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities since the Office was established. During the reporting period, she submitted four reports and appeared before the Committee on three occasions to present six cases.

5. Since the issuance of the eleventh report, two individuals[2] have been delisted and the name of one individual has been retained through the Ombudsperson process.

[1] This number includes one case concluded in 2013, in which the Committee decided to delist the petitioner after the Ombudsperson had submitted her report to the Committee but before she had presented it. In two additional cases concluded in 2013, the Ombudsperson case became moot following a decision by the Committee to delist the petitioners before the Ombudsperson had submitted her report.

[2] Farid Aider and Daniel Martin Schneider.

6. Cumulatively, since the Office was established, 65 cases involving requests made to the Ombudsperson by an individual, an entity or a combination of both have been resolved through the Ombudsperson process or through a separate decision of the Committee. In the 62 cases fully completed through the Ombudsperson process, 45 individuals and 28 entities have been delisted, one entity has been removed as an alias of a listed entity, and 12 delisting requests have been refused. In addition, three individuals were delisted by the Committee before the Ombudsperson process was completed, and one petition was withdrawn following the submission of the comprehensive report. A description of the status of all of the cases as at 31 July 2016 is contained in the annex to the present report.

7. There were three cases pending before the Ombudsperson in the information-gathering/dialogue phase and one case pending before the Committee at the time of reporting. The four requests submitted to the Office during the reporting period were presented by individuals. To date, in total, 62 of the 70 cases have been brought by individuals, 2 by an individual together with one or more entities and 6 by entities alone. In 35 of the 70 cases, the petitioner is or was assisted by legal counsel.

Gathering of information from States

8. In the four new cases, 17 requests for information have been sent so far to 16 States. With respect to the four cases for which comprehensive reports were submitted to the Committee during the reporting period, there were four instances in which a State from which information had been requested failed to respond. In addition to the responses received from States to which requests were specifically directed, some Committee members provided information as a result of the general circulation of petitions.

9. During the reporting period, the Ombudsperson met on two occasions with officials in a capital on a specific case to gather information directly.

10. On one occasion during the reporting period, the Ombudsperson shortened the information-gathering period pursuant to paragraph 3 of annex II to resolution 2253 (2015), which provides the Ombudsperson with the discretion to shorten the information-gathering period where all designating States consulted do not object to the petitioner's delisting.

Dialogue with the petitioner

11. During the reporting period, the Ombudsperson and her Office interacted with all petitioners during the dialogue phase of pending cases, including through e-mail exchanges, telephone discussions and face-to-face interviews. The Ombudsperson also travelled to interview three petitioners in person.

Provision of comprehensive reports to interested States

12. Paragraph 13 of annex II to resolution 2253 (2015) stipulates that, if so requested, the Ombudsperson may provide a copy of the comprehensive report to an interested State (designating State or State of nationality, residence or incorporation) with the approval of the Committee, with any redactions needed to protect confidential material. During the reporting period, the Ombudsperson

received five requests for disclosure from States, all of which were approved by the Committee.

Access to classified or confidential information

13. No new arrangements for access to classified or confidential information were entered into during the reporting period. To date, there is one formal agreement, with Austria, and 16 arrangements, with Australia, Belgium, Costa Rica, Denmark, Finland, France, Germany, Ireland, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Portugal, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. One arrangement concluded with the former Ombudsperson contains language clearly indicating that the arrangement was between the State and the previous Ombudsperson personally. The Ombudsperson engaged with that State and has yet to obtain confirmation that the arrangement with her remains in force.

14. Efforts continued to expand the list of arrangements/agreements during the reporting period, and it is to be hoped that further progress will be made in the upcoming months. One State has confirmed that it is willing to enter into an information-sharing agreement, and a draft is currently being finalized by the authorities of that State following engagement by the Ombudsperson with the Office of Legal Affairs and with the Permanent Mission of the State to the United Nations. Several other States have confirmed that they are considering the possibility of entering into an information-sharing arrangement.

III. Summary of activities related to the development of the Office of the Ombudsperson

General

15. Activities to further develop and strengthen the Office of the Ombudsperson continued during the reporting period to the extent possible.

Outreach and publicizing of the Office

16. The Ombudsperson participated in a number of outreach activities, as far as possible given the limitations on time and resources.

17. On 8 February 2016, the Ombudsperson participated in a conference held by Chatham House on countering terrorist financing, speaking on the limitations and challenges that she faces from a human rights standpoint in the context of reviewing delisting requests. During an open briefing given to Member States on 29 March 2016, the Ombudsperson provided an update on the status of cases in her Office as well as on recent progress made in increasing the transparency of the Ombudsperson mechanism while respecting the requirement, established by the Security Council, to treat comprehensive reports as confidential. On 6 May 2016, the Ombudsperson attended the annual conference of the Toronto Group for the Study of International, Transnational and Comparative Law. She addressed the parallel development of modern forms of internationalized criminal justice and sanctions, and compared the role of the Ombudsperson with that of international criminal justice practitioners.

18. During the reporting period, the Ombudsperson engaged extensively with representatives of the Council of Europe and the European Union. On 4 March 2016, the Ombudsperson addressed the Council of Europe Committee of Legal Advisers on Public International Law at its 51st meeting, held in Strasbourg, France. She briefed the Committee on the transition from her predecessor and on positive developments with respect to some of the challenges that she faces as Ombudsperson. On 15 April 2016, the Ombudsperson participated in a seminar on sanctions jointly held by the European Union and the United Nations in New York. In her address, she measured the Ombudsperson mechanism in terms of European standards. She also explored existing channels for the disclosure of information and the use in domestic and regional proceedings of information contained in her comprehensive reports to the Committee, including unclassified information gathered by the Ombudsperson and her analysis of that information. On 2 June 2016 in Brussels, the Ombudsperson engaged with members of the Council of the European Union Working Group on Public International Law and Working Party of Foreign Relations Counsellors. The topics discussed included ways to create better conditions for information-sharing with the Ombudsperson. Participants also explored ways to improve the awareness of domestic and European courts regarding the elements of fairness that the Ombudsperson mechanism has promoted. The Ombudsperson also followed up with representatives of the European Commission on issues raised during the above-mentioned seminar on sanctions.

19. On 2 July 2016, the Ombudsperson took part in a round-table discussion on terrorism, state-of-emergency law and international humanitarian law during the international symposium on terrorism and criminal policy organized by the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany. The objective of the symposium was to develop new approaches to the prevention and prosecution of terrorism, taking into account international experience. On 4 July 2016, at a meeting held by the Institute, the Ombudsperson shared her thoughts with a selected group of academics on various aspects of the forms of confidentiality applying to the Ombudsperson process, including fairness issues arising from the use of confidential information.

Interaction with the Islamic State in Iraq and the Levant (Da'esh) and Al-Qaida Sanctions Committee

20. Since 2 February 2016, the Ombudsperson has appeared before the Committee on two occasions. On 20 April 2016, she presented her reports in a case in which the petitioner was retained on the list and in the case of Farid Aider (delisted; formerly QDi.161). On 17 June 2016, she presented her report in the case of Daniel Martin Schneider (delisted; formerly QDi.260). On the same day, the Ombudsperson took part in a discussion that followed the update by the Security Council Affairs Division of the Department of Political Affairs on actions taken by the Secretariat to strengthen the capacity of the Office of the Ombudsperson to carry out its mandate in an independent, effective and timely manner.[3] The Ombudsperson commented on options, including possible administrative arrangements, presented by the Division with a view to guaranteeing the independence of the Office.

21. As previously, the Ombudsperson and staff in her Office have continued to engage regularly with the Coordinator and members of the Analytical Support and

[3] Update mandated by the Security Council in paragraph 59 of resolution 2253 (2015).

Sanctions Monitoring Team. The Team has continued to provide relevant information in accordance with paragraph 4 of annex II to Security Council resolution 2253 (2015). During the reporting period, the Team assisted the Office of the Ombudsperson in reviewing delisting requests and supporting materials that were in German. It also provided assistance with information that had been gathered that was in Arabic. In addition, it helped the Office with German- and Arabic-language communications with petitioners and other individuals contacted by the Office. Furthermore, the Team provided expert advice on issues relevant to particular delisting requests.

Liaison with States, intergovernmental organizations, United Nations bodies and non-governmental organizations

22. During the reporting period, the Ombudsperson and staff in her Office continued to interact with States, in particular States of relevance to the pending delisting petitions. They had several bilateral meetings with States interested in the work of the Office to discuss general issues, including issues related to possible options for increasing the independence of the Office. The Ombudsperson continued her discussions with a number of States concerning agreements or arrangements on access to confidential or classified information. She also maintained contacts with the informal Group of Like-Minded States on Targeted Sanctions[4] and representatives of the European Union and of the European Commission. Furthermore, as noted above, the Ombudsperson met with a number of State officials in their capitals for general discussions and to obtain information regarding particular cases.

23. The Ombudsperson and staff in her Office continued to interact with representatives of the Counter-Terrorism Committee Executive Directorate and the Office of the United Nations High Commissioner for Human Rights. The Ombudsperson also discussed relevant general legal issues with staff in the Office of Legal Affairs, which continued to provide assistance to the Ombudsperson on various matters.

24. The Ombudsperson further interacted with non-governmental organizations, including the International Centre for Transitional Justice.

Working methods and research

25. As previously, casework during the reporting period involved open-source research and contacts with journalists, to collect information and verify sources for publicly available case-related material.

26. The Ombudsperson continued to follow developments and collected information with regard to relevant national and regional legal cases.

Website

27. The website of the Office of the Ombudsperson (https://www.un.org/sc/suborg/en/ombudsperson) has continued to be revised and updated. An update to the

[4] Comprising Austria, Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland.

section of the website entitled "Approach to Assessment of Information" was posted in February 2016.[5]

IV. Observations and conclusions

Fairness of the process

28. All the Committee decisions on delisting petitions made during the reporting period were premised solely on information gathered by the Ombudsperson and followed her recommendations. In no cases did the Committee take a decision by consensus contrary to the recommendation, and no matters were referred to the Security Council. While confidential material was considered in two cases during the reporting period, the Ombudsperson remained satisfied that the petitioner was still aware of the substance of the case to be met. Therefore, in terms of knowing and answering the case and benefiting from an independent review and the availability of an effective remedy, all of the cases met these fundamental requirements of fairness.

Transparency of the process

General information about the process

29. As anticipated in the eleventh report, the website of the Office of the Ombudsperson has been updated to provide petitioners and their counsel with information on the practice of the Ombudsperson relating to the use of information and the analysis of association and disassociation. It also addresses in particular the mental element required for the retention of a listing, the use of cumulative information and inferences. It is expected that, in addition to assisting petitioners, the information in question will increase the transparency of the process vis-à-vis a broader interested public. During the above-mentioned seminar on sanctions, representatives of the European Union welcomed the update and indicated that they were making use of the increased transparency of the mechanism in their submissions before the courts of the European Union.

The petitioner

30. The Committee's positive trend towards including substantial excerpts from the analysis contained in the comprehensive report in letters summarizing the reasons that formed the basis for the Ombudsperson's recommendation, in both retention and delisting cases, continued during the reporting period. The Committee's consistency and reliability in transmitting extensive reasons to petitioners are a major step towards making the process more transparent and fair. The Ombudsperson hopes that that trend will continue during the next reporting period.

31. In the eleventh report, the Ombudsperson reiterated her predecessor's suggestion to address the situation resulting from the delay in notifying the petitioner in the event of retention on the list.[6] Empowering the Ombudsperson to advise the petitioner of the decision to retain the listing immediately after it has

[5] See S/2016/96, para. 36.

[6] See S/2015/533, para. 47, and S/2016/96, para. 42.

been taken, with a note indicating that the reasons will follow within the 60-day deadline, is even more needed in the light of the increased delay in notifying the petitioner in the event of retention. There was previously no need to separate the informal notice of a retention from the formal notification identifying the reasons for it, as such letters were submitted quite quickly after the Committee's decision to retain the listing had been taken (on average, 22 days after the decision). However, since the introduction, in resolution 2161 (2014), of a 60-day deadline for the transmittal of the reasons for retention, it has taken the Committee 52 days on average to transmit them to the Ombudsperson for transmittal to the petitioner.[7] In practice in successful delisting cases, there is already a difference in timing with regard to notifying the petitioner of the outcome of the petition, on the one hand, and notifying him or her of the reasons for the decision, on the other. In these cases, the Ombudsperson informs successful petitioners of their delisting as soon as she has been notified by the Committee of the decision (and before they learn of it through a press release). She does so before receiving from the Committee the letter citing the reasons, which follows within 60 days, pursuant to paragraph 16 of annex II to resolution 2253 (2015). It would be in the interest of fairness and efficiency to treat successful and unsuccessful petitioners alike in this regard; there is no rationale for treating them any differently.

Cooperation of States/State support for the Office of the Ombudsperson

32. State cooperation and expressions of support for the Office of the Ombudsperson remained strong during the reporting period. All but one State provided a response to requests for information presented, and all designating States and States of residence/nationality replied in all completed cases. In addition, States across regional groupings expressed strong support for the work of the Office both at bilateral meetings and at recent debates concerning sanctions.[8]

Independence of the Office of the Ombudsperson

33. Resolution 2253 (2015) specifies that the Ombudsperson shall neither seek nor receive instructions from any government. The independent and impartial review of delisting requests is at the core of the Ombudsperson's mandate. The Ombudsperson must not only act in an independent and impartial manner when conducting reviews of delisting requests, but must also be seen as doing so. The Ombudsperson's role, functions, reporting responsibilities with regard to delisting requests, and reasons for independence are profoundly different from those of the experts.[9] Furthermore, in view of the weight given by the Security Council to the recommendations of the

[7] In one case, the period had started to elapse before the introduction of the 60-day deadline.

[8] See, for example, discussions with representatives of the Group of Like-Minded States held on 11 February and 29 June 2016, following up on the adoption of resolution 2253 (2015); the 51st meeting of the Committee of Legal Advisers on Public International Law, held on 4 March 2016; the open briefing to Member States by the Ombudsperson, Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee, held on 29 March 2016; the European Union/United Nations seminar on sanctions held on 15 April 2016; and the meeting of the Council of the European Union Working Group on Public International Law and Working Party of Foreign Relations Counsellors held on 2 June 2016.

[9] See S/2015/533, para. 71.

Ombudsperson,[10] the guarantees of and respect for the requirements of independence and fairness on the part of the Ombudsperson mechanism are all the more important for its integrity and credibility.

34. In resolution 2253 (2015), the Security Council requested the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson and to make the necessary arrangements to ensure its continued ability to carry out its mandate in an independent, effective and timely manner, and to provide the Committee with an update on actions taken in six months.[11]

Current deficiencies in the status of the Office of the Ombudsperson

35. The former and current Ombudspersons identified a number of deficiencies in the current arrangements with the Secretariat. Those deficiencies were highlighted in great detail by the previous Ombudsperson in the seventh to tenth reports to the Security Council and by the current Ombudsperson in the eleventh report. The main aspects of the deficiencies are summarized below for ease of reference.

36. To date, no separate "Office of the Ombudsperson" has been established. As a result, the budget for the operations of the Ombudsperson mechanism is subsumed in the budget for the Analytical Support and Sanctions Monitoring Team. Furthermore, the two successive Ombudspersons have been recruited as consultants. Without certification with respect to both attendance and performance, the Ombudsperson will not be paid. As noted by the former Ombudsperson, the performance of the Ombudsperson is subject to an evaluation with reference to undefined "conditions" by unidentified officials within the division of the United Nations responsible for supporting and assisting the Security Council and the ISIL (Da'esh) and Al-Qaida Sanctions Committee, including with respect to the imposition, enforcement and implementation of sanctions. Those are the very bodies from which the Ombudsperson must maintain independence.[12] The former Ombudsperson recognized that the certification requirement had not been used in practice to attempt to interfere with her performance of functions. Nonetheless, she was of the view that that contractual requirement, in principle and optically, constituted a significant restriction on the independence of the Ombudsperson.[13] Furthermore, the consultancy contract pre-empts the structural establishment of any form of "Office of the Ombudsperson" independently managed by the Ombudsperson, as envisaged by the Security Council.[14] Indeed, as a consultant, the Ombudsperson can be neither a recruiting officer nor a supervisor of the staff members assisting her. The Security Council Subsidiary Organs Branch has recruited and formally supervises the two staff members in question, a Legal Officer (P-4) and an Administrative Assistant. As reported by the Ombudsperson in the eleventh report, she was prevented from fully participating in the recruitment

[10] Under para. 14 of annex II to resolution 2253 (2015), the Ombudsperson's recommendation to maintain a listing stands unless a Committee member submits a delisting request. Under para. 15 of the same annex, the Ombudsperson's recommendation to delist stands by default unless the Committee decides by consensus before the end of the 60-day period to maintain the listing; or, in cases in which consensus does not exist, the question of the listing is submitted to the Security Council and the Council decides to maintain the listing.

[11] See resolution 2253 (2015), para. 59.

[12] See S/2015/533, para. 62.

[13] Ibid., para. 63.

[14] Ibid., para. 64.

process to replace the Legal Officer during the maternity leave of the Officer.[15] Furthermore, in the past the responsibility of the supervision and performance appraisal of the staff assisting the Ombudsperson was assigned to the Secretary of the Committee, further exacerbating the potential for conflict.[16] Also, while the views of the Ombudsperson as to the performance of the two staff members have been reflected in the evaluation of their performance for the period 2015-2016, there have been past instances in which this was not the case. This demonstrates that guarantees of the independence of the Ombudsperson and her Office cannot be left to the goodwill of individuals in the Secretariat. In addition, the former Ombudsperson has described practical challenges arising from instructions being given by political affairs officers within the Security Council Subsidiary Organs Branch to staff assisting the Ombudsperson, as well as other obstacles to the independent operation of the Office.[17] Finally, in the eleventh report the Ombudsperson described another aspect of the inadequacy of the consultancy contract which had become apparent during the transition period.[18]

37. In its June 2015 Compendium (A/69/941-S/2015/432), the High-level Review of United Nations Sanctions notably recommended that the Secretary-General propose options for ensuring that the administrative, contractual and other support arrangements for the Ombudsperson were specific to the distinctive role of the Ombudsperson. It also recommended that those arrangements include institutional protections to enable the Office to actually meet the definition of an "independent office". Furthermore, a proposal transmitted to the President of the Security Council by the Group of Like-Minded States on Targeted Sanctions calls for fair and clear procedures for a more effective United Nations sanctions system, including a suggestion that the Office of the Ombudsperson should be restructured with a view

[15] See S/2016/96, para. 47. The Ombudsperson was consulted prior to shortlisting the candidates and spoke individually to the few candidates whom the recruitment panel ultimately found to be suitable. Her opinion was taken into account before recruitment, but she was denied participation, even as an observer, in the competency-based interviews of candidates shortlisted for the position.

[16] See S/2015/533, para. 65.

[17] In the past, the Branch required the Legal Officer to submit substantive trip reports at the conclusion of any official travel undertaken to assist the Ombudsperson, and this led the former Ombudsperson to suspend such assistance until that requirement was ultimately discontinued (see S/2014/73, para. 70, and S/2014/553, para. 51). On another occasion, without notice to the former Ombudsperson, the staff of the Office were directed by the Branch to make a substantive change to the website of the Office. Those instructions were countermanded by the then-Ombudsperson (see S/2015/533, para. 67). At another time, for reasons entirely unrelated to financial accountability, officials in the Security Council Affairs Division temporarily blocked the travel of the Ombudsperson for a core function: interviewing a petitioner. The former Ombudsperson noted that, while the matter had been resolved fairly quickly, it illustrated the dangers posed to independence even with respect to core functions when the Office was reliant exclusively on individual actions, without institutional safeguards. Another situation, which apparently occurred by mistake, highlighted the dangers arising from the fact that the Ombudsperson lacks control over who has access to the electronic drives containing the general material related to the work of the Office (although no State confidential material).

[18] See S/2016/96, para. 46. The nature of the contract prevented adequate compensation of the former Ombudsperson, who, as required, prepared for and presented her comprehensive reports to the Committee in the various cases scheduled on the agenda of the Committee after the completion of her term.

to institutionalizing it through its transformation into a permanent office or a special political mission office within the Secretariat.[19]

Update to the Committee by the Secretariat under paragraph 59 of resolution 2253 (2015)

38. During the reporting period, in view of the Security Council's request to the Secretary-General, in paragraph 59 of resolution 2253 (2015), to provide the Committee with an update on actions taken in six months, the Ombudsperson reviewed several relevant arrangements in place for United Nations officials who carry out functions involving a requirement of independence.[20] Thereafter, the Ombudsperson engaged and had fruitful discussions with the Security Council Affairs Division on ways to include guarantees of independence in future administrative arrangements pertaining to the Ombudsperson and the Office of the Ombudsperson. The Ombudsperson identified priorities for those possible future arrangements. The priorities are based on the comparison between the functions and administrative arrangements of the Ombudsperson and those of United Nations officials whose functions require independence.

39. On 17 June 2016, the Security Council Affairs Division briefed the Committee on the current arrangements for the Ombudsperson and her Office and on issues arising from those arrangements; it also presented options for reforming them. The Division stressed that the structures retained for the Office of Internal Oversight Services (OIOS), the Office of the United Nations Ombudsman and Mediation Services and tribunals, which required dedicated administrative support, would be costly and time-consuming to set up for the Office of the Ombudsperson. By contrast, establishing the Office of the Ombudsperson as a stand-alone special political mission would require minor adjustments to the thematic cluster II special political mission framework[21] and would not involve a significant cost increase. The Division highlighted that the Executive Office of the Department of Political Affairs, which would be supporting such a special political mission, was already supporting the Office of the Ombudsperson. In turn, the Office of the Ombudsperson would have to take on some additional administrative work previously carried out by the Division. In terms of possible status and contractual arrangements, the Division presented two options. The first was the status of that of

[19] See S/2015/867, annex. The Group of Like-Minded States on Targeted Sanctions had previously brought these concerns to the attention of the Security Council in April 2014 and June 2015, in the annexes to S/2014/286 and S/2015/459, respectively. They noted in the latter document that "the status and privileges of the position should fully reflect the independence required to perform the tasks of the Ombudsperson effectively. Furthermore, the applicable administrative arrangements in place for budgeting, staffing, staff management and resource utilization at the Office of the Ombudsperson lack the critical features of autonomy. In fact, structurally no Office of the Ombudsperson has been created despite the decision in Security Council resolution 1904 (2009)".

[20] The arrangements reviewed are those in place for officials having the status of either staff members (the Under-Secretary-General for Internal Oversight Services, the Ombudsman (Assistant Secretary-General) or the Executive Director of the Counter-Terrorism Committee Executive Directorate) or officials other than Secretariat officials (permanent and ad litem judges of the International Tribunal for the Former Yugoslavia, judges of the United Nations Dispute Tribunal and international judges of the Extraordinary Chambers in the Courts of Cambodia).

[21] Cluster II comprises 14 special political missions (sanctions monitoring teams, groups and panels).

"official other than Secretariat official". If that option were chosen, the Ombudsperson's conditions of service would have to be specifically spelled out. The second option was the status and contractual arrangements of a United Nations staff member. That option would require the inclusion of an operational independence clause in the Ombudsperson's contract and periodic evaluation of the Ombudsperson's performance by the Secretariat. Following the Division's presentation of those options, the Chair of the Committee invited the Ombudsperson to share her views on these matters with the Committee.

Options for a new structure and status

40. The Ombudsperson agrees with the Secretariat's proposal that the Office of the Ombudsperson be established as a stand-alone special political mission with a dedicated budget. The size of the Office as currently staffed does not justify its having an executive office of its own. There would be no adverse consequences in terms of the independence of the Office in continuing to rely on the Executive Office of the Department of Political Affairs for logistical and administrative support, as it does at present. The Office would also be able to absorb the additional administrative work previously performed by the Security Council Affairs Division, as noted above.

41. While neither the status of official other than Secretariat official nor the status of United Nations staff member is a perfect option for the Ombudsperson, each is fully satisfactory, provided that a few conditions pertaining to it are met. However, in the view of the Ombudsperson, the status of official other than Secretariat official is the better of the two options in terms of the real and perceived independence of the Ombudsperson. This is the status that the United Nations accords to its international judges,[22] and it does not require an evaluation of the Ombudsperson's performance.

42. The status of United Nations staff member would also be acceptable, but there is an important caveat with regard to that option in order to fully guarantee the independence of the Ombudsperson. It concerns the modalities used to evaluate the Ombudsperson's performance. If the option were preferred, it would be critical to ensure that the modalities of evaluation, the reporting lines and the goals employed as part of the evaluation would not encroach on the independence of the Ombudsperson. This is a sensitive issue, but not an unsurmountable one, and there are precedents, for example, the heads of two independent offices (OIOS and the Office of the United Nations Ombudsman and Mediation Services) whose performance is evaluated by the Secretary-General under a "compact".[23] The Ombudsperson is of the view that under this status, the reporting line for the Ombudsperson should be outside the Department of Political Affairs.

[22] Consideration could be given to subjecting the Ombudsperson to procedures applicable in the United Nations in the event of the misconduct of an official. Likewise, the operations of the Office would be subject to the existing oversight mechanism.

[23] In 2006, the United Nations introduced senior managers' compacts. A compact is an annual agreement between the Secretary-General and senior officials clearly outlining the roles and responsibilities of the officials and setting specific objectives and managerial tasks for each year. In 2010, the compact regime was broadened to include heads of peacekeeping missions and special political missions.

43. Unlike the status of United Nations staff member, the choice of the status of official other than Secretariat official would not automatically resolve the managerial aspects arising from the functioning of the Office of the Ombudsperson as an independent office. Under that status, the Ombudsperson could not formally serve as a hiring officer or supervisor. However, unlike that of consultant, the status of official other than Secretariat official is sufficiently flexible to allow for satisfactory arrangements to guarantee the involvement of the Ombudsperson in the recruitment, tasking, substantive direction and performance evaluation of staff members. There are precedents for such arrangements in terms of international judges. Such arrangements are unquestioned in these institutions, so they have not been formalized. But in the light of past practice under the Ombudsperson's consultant status, it would be necessary to formalize such arrangements for the Ombudsperson. This could be done in the conditions of service or the terms of reference, or even in an inter-office memorandum between the Ombudsperson and the office formally tasked with the recruitment and evaluation of the staff of the Office.

44. Finally, the maximum term of five years for the Ombudsperson is a consequence of the Ombudsperson's current status of consultant. The Ombudsperson is of the view that imposing a maximum term of office would not encroach on the independence of the Ombudsperson. It could be considered under either of the two options discussed above. Five or, even better, seven years would be a reasonable term. Also under these options, unlike with a consultancy contract, there would be no implied bar to the Ombudsperson's eligibility for posts in the Secretariat upon the completion of her or his mandate. However, the Ombudsperson is of the view that ineligibility for a set period of time may enhance the appearance of independence on the part of the Ombudsperson.

Conclusion

45. The Ombudsperson commends the efforts made and steps taken by the Secretariat as requested by the Security Council in paragraph 59 of resolution 2253 (2015). The options presented by the Security Council Affairs Division for arrangements that would be necessary to ensure that the Office of the Ombudsperson has the ability to carry out her mandate in an independent and effective manner provide a sound basis for guaranteeing the independence of the Office in the future. The Ombudsperson is hopeful that these efforts will not be in vain and that one of these options will materialize, thus increasing the credibility of the Ombudsperson process.

Requests from individuals mistaken for a listed person under another regime

46. During the reporting period, the Ombudsperson received a request from an individual whose particulars were similar to those of a person included in the list established and maintained by the ISIL (Da'esh) and Al-Qaida Sanctions Committee with respect to individuals, groups, undertakings and other entities associated with Al-Qaida. He claimed to have been subjected to sanctions measures under that regime as a result of confusion with an individual included on the list. Under the ISIL (Da'esh) and Al-Qaida sanctions regime, individuals experiencing problems as a result of mistaken identification or confusion with individuals included on the

sanctions list may have recourse to the Focal Point.[24] However, the mandate of the Focal Point under other regimes does not extend to cases of mistaken identification or confusion with an individual listed under another regime. As a result, individuals experiencing such problems as a result of mistaken identification or confusion with individuals listed under another regime have no recourse or depend on their State of nationality of residence to bring the matter to the attention of the relevant committee. This is a question that falls outside the mandate of the Ombudsperson. However, as such requests are sent to the Ombudsperson, it was deemed important that it be highlighted in the present report. It would be beneficial for such individuals to have recourse to the Focal Point, as is the case under the ISIL (Da'esh) and Al-Qaida sanctions regime.

Conclusion

47. The Ombudsperson mechanism and its progressive reinforcement are instrumental in making the ISIL (Da'esh) and Al-Qaida sanctions regime more consistent with fundamental human rights obligations. It undoubtedly enhances the credibility of that regime and has in turn assisted States in implementing the sanctions imposed by the Committee. The efforts made during the reporting period to address the structural challenges in terms of independence are a welcome development.

48. However, as highlighted in this and previous reports, there remain areas for improvement. The Ombudsperson has repeatedly noted that the Ombudsperson process remains unnecessarily opaque. So long as comprehensive reports or reasons are not made publicly available, every effort will have to be made to inform petitioners and the general public about the process. It is particularly important to maintain the level of transparency achieved so far by providing to petitioners, subject to confidentiality restrictions, all of the reasons for the Committee's decisions in both retention and delisting cases. It is hoped that the positive trend observed over the past year will continue in the future.

[24] See resolution 2253 (2015), para. 77 (b).

Annex

Status of cases

Case 1, one individual (Status: denied)

Date	*Description*
28 July 2010	Transmission of case 1 to the Committee
28 February 2011	Comprehensive report submitted to the Committee
10 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision
1 September 2011	Formal notification to petitioner with reasons

Case 2, Safet Ekrem Durguti (Status: delisted)

Date	*Description*
30 September 2010	Transmission of case 2 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 3, one entity (Status: delisting request withdrawn by petitioner)

Date	*Description*
3 November 2010	Transmission of case 3 to the Committee
14 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of comprehensive report by the Ombudsperson to the Committee
2 August 2011	Withdrawal of petition

Case 4, Shafiq Ben Mohamed Ben Mohammed Al Ayadi (Status: delisted)

Date	*Description*
6 December 2010	Transmission of case 4 to the Committee
29 June 2011	Comprehensive report submitted to the Committee

Date	*Description*
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 October 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 5, Tarek Ben Al-Bechir Ben Amara Al-Charaabi (Status: delisted)

Date	*Description*
30 December 2010	Transmission of case 5 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 6, Abdul Latif Saleh (Status: delisted)

Date	*Description*
14 January 2011	Transmission of case 6 to the Committee
17 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 August 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 7, Abu Sufian Al-Salamabi Muhammed Ahmed Abd Al-Razziq (Status: delisted)

Date	*Description*
28 January 2011	Transmission of case 7 to the Committee
29 August 2011	Comprehensive report submitted to the Committee
15 November 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 November 2011	Committee decision to delist
13 February 2012	Formal notification to petitioner with reasons

Case 8, Ahmed Ali Nur Jim'ale and 23 entities[a] (Status: delisted)

Date	*Description*
17 March 2011	Transmission of case 8 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
13 December 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 December 2011	Committee decision to delist six entities
21 February 2012	Committee decision to delist one individual and 17 entities
8 June 2012	Formal notification to petitioner with reasons

[a] Barakaat North America, Inc., Barakat Computer Consulting, Barakat Consulting Group, Barakat Global Telephone Company, Barakat Post Express, Barakat Refreshment Company, Al Baraka Exchange, LLC, Barakaat Telecommunications Co. Somalia, Ltd., Barakaat Bank of Somalia, Barako Trading Company, LLC, Al-Barakaat, Al-Barakaat Bank, Al-Barakaat Bank of Somalia, Al-Barakat Finance Group, Al-Barakat Financial Holding Co., Al-Barakat Global Telecommunications, Al-Barakat Group of Companies Somalia Limited, Al-Barakat International, Al-Barakat Investments, Barakaat Group of Companies, Barakaat Red Sea Telecommunications, Barakat International Companies and Barakat Telecommunications Company Limited.

Case 9, Saad Rashed Mohammed Al-Faqih and Movement for Reform in Arabia (Status: delisted)

Date	*Description*
19 April 2011	Transmission of case 9 to the Committee
21 February 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 July 2012	Committee decision to delist
13 November 2012	Formal notification to petitioner with reasons

Case 10, Ibrahim Abdul Salam Mohamed Boyasseer (Status: delisted)

Date	*Description*
6 May 2011	Transmission of case 10 to the Committee
9 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 11, Mondher ben Mohsen ben Ali al-Baazaoui (Status: delisted)

Date	*Description*
1 June 2011	Transmission of case 11 to the Committee
19 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 March 2012	Committee decision to delist
10 July 2012	Formal notification to petitioner with reasons

Case 12, Kamal ben Mohamed ben Ahmed Darraji (Status: delisted)

Date	*Description*
30 June 2011	Transmission of case 12 to the Committee
28 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
4 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 13, Fondation Secours Mondial (Status: amended[b])

Date	*Description*
7 July 2011	Transmission of case 13 to the Committee
14 December 2011	Comprehensive report submitted to the Committee
24 January 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 February 2012	Committee decision to amend
9 July 2012	Formal notification to petitioner with reasons

[b] Amended to be removed as an alias of Global Relief Foundation (QE.G.91.02.).

Case 14, Sa'd Abdullah Hussein al-Sharif (Status: delisted)

Date	*Description*
20 July 2011	Transmission of case 14 to the Committee
29 February 2012	Comprehensive report submitted to the Committee

Date	*Description*
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 April 2012	Committee decision to delist
5 June 2012	Formal notification to petitioner with reasons

Case 15, Fethi ben al-Rebei Absha Mnasri (Status: delisted)

Date	*Description*
4 August 2011	Transmission of case 15 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 16, Mounir Ben Habib Ben al-Taher Jarraya (Status: delisted)

Date	*Description*
15 August 2011	Transmission of case 16 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 17, Rachid Fettar (Status: delisted)

Date	*Description*
26 September 2011	Transmission of case 17 to the Committee
27 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 18, Al: Mohamed El Heit (Status: delisted)

Date	*Description*
5 October 2011	Transmission of case 18 to the Committee
2 May 2012	Comprehensive report submitted to the Committee
3 July 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 July 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 19, Yassin Abdullah Kadi (listed as Yasin Abdullah Ezzedine Qadi) (Status: delisted)

Date	*Description*
16 November 2011	Transmission of case 19 to the Committee
11 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
5 October 2012	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 20, Chabaane ben Mohamed ben Mohamed al-Trabelsi (Status: delisted)

Date	*Description*
21 November 2011	Transmission of case 20 to the Committee
23 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 21, Adel Abdul Jalil Ibrahim Batterjee (Status: delisted)

Date	*Description*
3 January 2012	Transmission of case 21 to the Committee
30 August 2012	Comprehensive report submitted to the Committee

Date	*Description*
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 January 2013	Committee decision to delist
5 September 2013	Formal notification to petitioner with reasons

Case 22, Ibrahim ben Hedhili ben Mohamed al-Hamami (Status: delisted)

Date	*Description*
6 February 2012	Transmission of case 22 to the Committee
25 September 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 November 2012	Committee decision to delist
7 February 2013	Formal notification to petitioner with reasons

Case 23, Suliman Hamd Suleiman Al-Buthe (Status: delisted) (Repeated request)

Date	*Description*
23 February 2012	Transmission of case 23 to the Committee
9 October 2012	Comprehensive report submitted to the Committee
27 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
10 February 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 24, Mamoun Darkazanli (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 24 to the Committee
12 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 March 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 25, Abdullahi Hussein Kahie (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 25 to the Committee
26 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 September 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 26, Usama Muhammed Awad Bin Laden (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 21 February 2013

Date	*Description*
23 April 2012	Transmission of case 26 to the Committee
15 February 2013	Comprehensive report submitted to the Committee
21 February 2013	Committee decision to delist

Case 27, one individual (Status: denied)

Date	*Description*
7 May 2012	Transmission of case 27 to the Committee
11 February 2013	Comprehensive report submitted to the Committee
7 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
7 May 2013	Committee decision to retain listing
12 June 2013	Formal notification to petitioner with reasons

Case 28, one individual (Status: denied)

Date	*Description*
7 June 2012	Transmission of case 28 to the Committee
20 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 January 2013	Committee decision to retain listing
29 January 2013	Formal notification to petitioner with reasons

Case 29, Muhammad 'Abdallah Salih Sughayr (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 29 to the Committee
9 April 2013	Comprehensive report submitted to the Committee
21 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 July 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 30, Lajnat Al Daawa Al Islamiya (LDI) (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 30 to the Committee
15 April 2013	Comprehensive report submitted to the Committee
2 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 31, Abd al Hamid Sulaiman Muhammed al-Mujil (Status: delisted)

Date	*Description*
1 August 2012	Transmission of case 31 to the Committee
13 March 2013	Comprehensive report submitted to the Committee
30 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 June 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 32, Mohamed ben Mohamed ben Khalifa Abdelhedi (Status: delisted)

Date	*Description*
19 September 2012	Transmission of case 32 to the Committee
5 March 2013	Comprehensive report submitted to the Committee

Date	*Description*
16 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 May 2013	Committee decision to delist

Case 33, Mohammed Daki (Status: delisted)

Date	*Description*
12 October 2012	Transmission of case 33 to the Committee
28 May 2013	Comprehensive report submitted to the Committee
30 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
16 August 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 34, Abdelghani Mzoudi (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 18 March 2013

Date	*Description*
8 November 2012	Transmission of case 34 to the Committee
18 March 2013	Committee decision to delist

Case 35, International Islamic Relief Organization, Philippines, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 35 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 36, International Islamic Relief Organization, Indonesia, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 36 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 37, Jaber Abdullah Jaber Ahmed Al-Jalahmah (Status: delisted)[c]

Date	*Description*
4 February 2013	Transmission of case 37 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

[c] Jaber Abdullah Jaber Ahmed Al-Jalahmah was re-listed on the same date by a separate Committee decision.

Case 38, Moustafa Abbas (listed as Moustafa Abbes) (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 38 to the Committee
12 August 2013	Comprehensive report submitted to the Committee
13 September 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 39, Atilla Selek (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 39 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 40, Youssef ben Abdul Baki Ben Youcef Abdaoui (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 40 to the Committee
14 November 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 41, L'hadi Bendebka (listed as Abdelhadi Ben Debka) (Status: delisted)

Date	*Description*
12 March 2013	Transmission of case 41 to the Committee
14 October 2013	Comprehensive report submitted to the Committee
3 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 42, Youcef Abbas (listed as Youcef Abbes (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 42 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
15 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee

Date	*Description*
3 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 43, Said Yousef AbouAziz (listed as Said Youssef Ali Abu Aziza) (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 26 August 2013

Date	*Description*
27 March 2013	Transmission of case 43 to the Committee
26 August 2013	Committee decision to delist

Case 44, one individual (Status: denied)

Date	*Description*
2 May 2013	Transmission of case 44 to the Committee
4 February 2014	Comprehensive report submitted to the Committee
21 April 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 April 2014	Committee decision to retain listing
30 July 2014	Formal notification to petitioner with reasons

Case 45, one individual (Status: denied)

Date	*Description*
6 May 2013	Transmission of case 45 to the Committee
9 December 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 February 2014	Committee decision to retain listing
17 March 2014	Formal notification to petitioner with reasons

Case 46, Yacine Ahmed Nacer (Status: delisted)

Date	*Description*
10 May 2013	Transmission of case 46 to the Committee

Date	*Description*
30 December 2013	Comprehensive report submitted to the Committee
25 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
13 March 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 47, Nabil Benatia (listed as Nabil ben Mohamed ben Ali ben Attia) (Status: delisted)

Date	*Description*
3 June 2013	Transmission of case 47 to the Committee
12 November 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 48, Wael Hamzah Jelaidan (listed as Wa'el Hamza Abd al-Fatah Julaidan) (Status: delisted)

Date	*Description*
17 June 2013	Transmission of case 48 to the Committee
19 March 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 August 2014	Committee decision to delist
29 October 2014	Formal notification to petitioner with reasons

Case 49, one individual (Status: denied)

Date	*Description*
24 June 2013	Transmission of case 49 to the Committee
4 April 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee

Date	*Description*
24 June 2014	Committee decision to retain listing
10 September 2014	Formal notification to petitioner with reasons

Case 50, Al-Haramain Foundation (USA) (Status: delisted)

Date	*Description*
5 September 2013	Transmission of case 50 to the Committee
30 June 2014	Comprehensive report submitted to the Committee
26 August 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 October 2014	Committee decision to delist
29 December 2014	Formal notification to petitioner with reasons

Case 51, Aqeel Abdulaziz Aqeel Al-Aqeel (Status: delisted)

Date	*Description*
28 October 2013	Transmission of case 51 to the Committee
18 August 2014	Comprehensive report submitted to the Committee
31 October 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
3 March 2015	Formal notification to petitioner with reasons

Case 52, one individual (Status: denied)

Date	*Description*
27 May 2014	Transmission of case 52 to the Committee
18 February 2015	Comprehensive report submitted to the Committee
14 April 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2015	Committee decision to retain listing
10 June 2015	Formal notification to petitioner with reasons

Case 53, Abd al-Rahman Muhammad Jaffar 'Ali (Status: delisted)

Date	*Description*
13 June 2014	Transmission of case 53 to the Committee
9 December 2014	Comprehensive report submitted to the Committee
29 January 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 March 2015	Committee decision to delist
12 May 2015	Formal notification to petitioner with reasons

Case 54, Abdul Rahim Hammad Ahmad al-Talhi (Status: delisted)

Date	*Description*
19 June 2014	Transmission of case 54 to the Committee
29 January 2015	Comprehensive report submitted to the Committee
17 March 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 May 2015	Committee decision to delist
22 July 2015	Formal notification to petitioner with reasons

Case 55, Ismail Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
23 June 2014	Transmission of case 55 to the Committee
10 November 2014	Comprehensive report submitted to the Committee
16 December 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
17 February 2015	Formal notification to petitioner with reasons

Case 56, one individual (Status: denied) (Repeated request)

Date	*Description*
5 September 2014	Transmission of case 56 to the Committee
21 April 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee

Date	*Description*
19 June 2015	Committee decision to retain listing
10 July 2015	Formal notification to petitioner with reasons

Case 57, one individual (Status: denied) (Repeated request)

Date	*Description*
9 September 2014	Transmission of case 57 to the Committee
8 June 2015	Comprehensive report submitted to the Committee
27 July 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 July 2015	Committee decision to retain listing
20 August 2015	Formal notification to petitioner with reasons

Case 58, one individual (Status: denied)

Date	*Description*
30 August 2014	Transmission of case 58 to the Committee
29 June 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
24 August 2015	Committee decision to retain listing
30 October 2015	Formal notification to petitioner with reasons

Case 59, Al Sayyid Ahmed Fathi Hussein Eliwah (Status: delisted)

Date	*Description*
30 September 2014	Transmission of case 59 to the Committee
12 May 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 August 2015	Committee decision to delist
2 September 2015	Formal notification to petitioner with reasons

Case 60, Mohammed Ahmed Shawki al Islambolly (Status: delisted)

Date	*Description*
10 November 2014	Transmission of case 60 to the Committee
13 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 October 2015	Committee decision to delist
27 October 2015	Formal notification to petitioner with reasons

Case 61, Yasser Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
19 January 2015	Transmission of case 61 to the Committee
7 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
9 September 2015	Committee decision to delist
6 November 2015	Formal notification to petitioner with reasons

Case 62, Abd al Wahab Abd al Hafiz (Status: delisted)

Date	*Description*
11 March 2015	Transmission of case 62 to the Committee
9 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 January 2016	Committee decision to delist
22 January 2016	Formal notification to petitioner with reasons

Case 63, one individual (Status: denied)

Date	*Description*
12 March 2015	Transmission of case 63 to the Committee
10 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee

Date	*Description*
23 December 2015	Committee decision to retain listing
12 January 2016	Formal notification to petitioner with reasons

Case 64, one individual (Status: denied)

Date	*Description*
29 May 2015	Transmission of case 64 to the Committee
25 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 April 2016	Committee decision to retain listing
9 June 2016	Formal notification to petitioner with reasons

Case 65, Farid Aider (Status: delisted)

Date	*Description*
27 August 2015	Transmission of case 65 to the Committee
26 February 2016	Comprehensive report submitted to the Committee
20 April 2016	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2016	Committee decision to delist
20 June 2016	Formal notification to petitioner with reasons

Case 66, one individual (Status: Committee phase)

Date	*Description*
15 October 2015	Transmission of case 66 to the Committee
15 June 2016	Comprehensive report submitted to the Committee

Case 67, Daniel Martin Schneider (Status: delisted)

Date	*Description*
3 February 2016	Transmission of case 67 to the Committee
29 April 2016	Comprehensive report submitted to the Committee

Date	*Description*
17 June 2016	Presentation of the comprehensive report by the Ombudsperson to the Committee
5 July 2016	Committee decision to delist

Case 68, one individual (Status: dialogue phase)

Date	*Description*
22 March 2016	Transmission of case 68 to the Committee
23 September 2016	Deadline for completion of the dialogue phase

Case 69, one individual (Status: information-gathering phase)

Date	*Description*
8 June 2016	Transmission of case 69 to the Committee
7 October 2016	Deadline for completion of the information-gathering phase

Case 70, one individual (Status: information-gathering phase)

Date	*Description*
12 July 2016	Transmission of case 70 to the Committee
14 November 2016	Deadline for completion of the information-gathering phase